

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
Fort Worth Division

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE

v.

Case Number: 4:16-CR-00283-Y(4)
Douglas A. Allen, assistant U.S. attorney
David J. Pire, attorney for the defendant

MATTHEW LEAVERTON

On September 20, 2017, the defendant, Matthew Leaverton, entered a plea of guilty to count one of the one-count superseding information. Accordingly, the defendant is adjudged guilty of such count, which involves the following offense:


<u>TITLE & SECTION</u>	<u>NATURE OF OFFENSE</u>	<u>OFFENSE CONCLUDED</u>	<u>COUNT</u>
18 U.S.C. § 371 (18 U.S.C. § 1341)	Conspiracy to Commit Mail Fraud	August 2016	1

The defendant is sentenced as provided in pages two through four of this judgment. The sentence is imposed under Title 18, United States Code § 3553(a), taking the guidelines issued by the United States Sentencing Commission under Title 28, United States Code § 994(a)(1), as advisory only.

The defendant shall pay immediately a special assessment of \$100.00 for count one of the one-count superseding information.

The defendant shall notify the United States attorney for this district within thirty days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Sentence imposed April 5, 2018.


TERRY R. MEANS
UNITED STATES DISTRICT JUDGE

Signed April 6, 2018.

Judgment in a Criminal Case

Defendant: Matthew Leaverton

Case Number: 4:16-CR-00283-Y(4)

Judgment -- Page 2 of 4

IMPRISONMENT

The defendant, Matthew Leaverton, is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a term of 60 months on count one of the one-count superseding information.

The Court recommends that the defendant be placed in the Institution Residential Drug Abuse Treatment Program, if qualified, and that he be incarcerated at FCI-Bastrop, Texas, if possible, and if not, then elsewhere in central Texas.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 2 p.m. on **Monday, April 30, 2018**, as notified by the United States marshal or as notified by the probation office.

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be placed on supervised release for a term of three years on count one of the one-count superseding information.

While on supervised release, in compliance with the standard conditions of supervision adopted by the United States Sentencing Commission, the defendant shall:

- (1) not leave the judicial district without the permission of the Court or probation officer;
- (2) report to the probation officer in a manner and frequency directed by the Court or probation officer;
- (3) answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- (4) support the defendant's dependents and meet other family responsibilities;
- (5) work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- (6) notify the probation officer within seventy-two (72) hours of any change in residence or employment;
- (7) refrain from excessive use of alcohol and not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- (8) not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- (9) not associate with any persons engaged in criminal activity and not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- (10) permit a probation officer to visit the defendant at any time at home or elsewhere and permit confiscation of any contraband observed in plain view by the probation officer;
- (11) notify the probation officer within seventy-two (72) hours of being arrested or questioned by a law enforcement officer;
- (12) not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the Court; and
- (13) notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement, as directed by the probation officer.

In addition the defendant shall:

not commit another federal, state, or local crime;

not possess illegal controlled substances;

not possess a firearm, destructive device, or other dangerous weapon;

cooperate in the collection of DNA as directed by the probation officer;

report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Federal Bureau of Prisons;

refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer;

pay any remaining balance of restitution in the amount of \$ \$13,547,407.09, as set out in this judgment;

refrain from incurring new credit charges or opening additional lines of credit without approval of the probation officer unless the probation officer makes a determination that the defendant is in compliance with the payment schedule;

not incur new credit charges or open additional lines of credit, either as a principal or cosigner or through any corporate entity, without approval of the probation officer;

provide to the probation officer any requested financial information;

participate in mental health treatment services as directed by the probation officer until successfully discharged, which services may include prescribed medications by a licensed physician, with the defendant contributing to the costs of services rendered (copayment) at a rate of at least \$25 per month; and

participate in a program approved by the probation officer for treatment of narcotic or drug or alcohol dependency that will include testing for the detection of substance use, abstaining from the use of alcohol and all other intoxicants during and after completion of treatment, contributing to the costs of services rendered (copayment) at the rate of at least \$25 per month.

FINE/RESTITUTION

The Court does not order a fine or costs of incarceration because the defendant does not have the financial resources or future earning capacity to pay a fine or costs of incarceration in addition to restitution.

The defendant is ordered to make restitution, jointly and severally with codefendant(s) James Vanblaricum (01), Rodney Pope (02), and Chet Inglis (03), in the amount of \$13,547,407.09. Restitution shall be paid to the U.S. district clerk, 501 West 10th Street, Room 310, Fort Worth, TX 76102, for disbursement to those persons listed on Exhibit "A," which is attached to this order.

Restitution is due and payable immediately, but if, upon commencement of the term of supervised release, any part of the \$13,547,407.09 restitution ordered by this judgment remains unpaid, the defendant shall make payments on such unpaid balance at the rate of at least \$100 per month, the first such payment to be made no later than 60 days after the defendant's release from confinement and another payment to be made on the same day of each month thereafter until the restitution is paid in full.

This payment schedule does not affect the enforceability of the restitution order and the continuing obligation of Matthew Leaverton to pay restitution in full as soon as possible. Nothing in this order shall be construed to limit the ability of the U.S. Attorney's Office to fulfill its statutory obligation to enforce restitution under the Federal Debt Collection Procedures Act, 28 U.S.C. § 3001, *et seq.*, or under any other statutory provision, during supervision or after release.

Judgment in a Criminal Case

Defendant: Matthew Leaverton

Case Number: 4:16-CR-00283-Y(4)

Judgment -- Page 4 of 4

However, no restitution shall be payable during incarceration from funds deposited into the defendant's inmate trust account or paid to the defendant for work performed during incarceration.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

United States marshal

BY _____
deputy marshal

V - 1 of 6

4:16-cr-00283 - USA v. Leaverton (4)

Exhibit "A"

JOSE AGUAYO
\$120,000.00

ANTONE & LURDES
ALMEIDA
\$24,000.00

ALMER ENERGY LLC
\$20,000.00

KYLE ALWARD
\$15,000.00

CHRISTOPHER AND LISA
ANDERSEN
\$30,000.00

JEANETTE AND THOMAS
ANSPACHER
\$130,000.00

SUZANNE ARNESS
\$120,000.00

LYN AND MIRON AVIV
\$120,000.00

JOSEPH BAKER
\$20,000.00

GENE AND NANCY
BANISTER
\$60,000.00

CAROL AND WILLIAM
BARBER
\$10,800.00

GLEN AND JOYCE BARRICK
\$25,000.00

ASHUTOSH BASDAN
\$30,000.00

SHELLY BATTAGLIA
\$70,000.00

JOHN BAUSCHKA
\$30,000.00

BAYES CONSULTANT
SERVICES
\$30,000.00

DORIS BENSON
\$55,000.00

KENNETH & SHIRLEY
BERTWELL
\$6,000.00

SOOROEJANEE BHARDWAJ
\$210,000.00

JUSTIN BLACKBURN
\$20,000.00

JOSEPH AND ANNE
BLUMETTI
\$75,000.00

MICHAEL BOESPFLUG
\$30,000.00

HAROLD BOONE
\$20,000.00

WENDELL BOWERS
\$24,000.00

ANDREW BRADFORD
\$15,000.00

MICHAEL BRADY
\$20,000.00

REBECCA AND DAVID
BROWN
\$20,000.00

RODNEY AND MONICA
BROWN
\$30,000.00

ERIC BUCKNER
\$25,000.00

BULLDOG HOMES LLC
\$150,000.00

CHARLES BUNCH
\$12,000.00

MARK BURLESON
\$15,000.00

RONALD BUSH
\$120,000.00

SCOTT BUTLER
\$35,000.00

RONALD BUTTS
\$35,000.00

OMOWUMI EITT BWRUH
\$10,000.00

SUSAN CALLAWAY
\$3,000.00

ALEXANDER AND ROSA
CALOCA
\$50,000.00

CHARLES CAMERON
\$12,000.00

EDGAR CAMPOS
\$10,000.00

CANON OIL & GAS LLC
\$40,000.00

THOMAS CARNEAL
\$25,000.00

JOSEPH CASHES
\$50,000.00

FERNANDO & CONSTANZA
CAYCEDO
\$60,000.00

CHANGJIN CHEN
\$30,000.00

CHANTEK ENERGY LLC
\$30,000.00

JOHN CHAPMAN
\$30,000.00

JOSEPH AND DIANE
CHIAPPETTA
\$19,200.00

PING-WEN AND VICKI CHU
\$205,000.00

PATRICIA CILBERTI
\$180,000.00

GIOVANNY CISNEROS
\$10,800.00

CHERYL AND LONNIE CLINE
\$7,500.00

DANNY CLYBURN
\$5,000.00

V - 2 of 6

4:16-cr-00283 - USA v. Leaverton (4)

KAY AND MILTON COLEMAN \$30,000.00	KEITH ERKE \$6,000.00	JASON GIBBS \$15,000.00
DENNIS CONLON \$25,000.00	JORGE ESTEVES \$20,000.00	DANIEL AND FRANCES GLEASON \$30,000.00
EDDIE CONTRERAS \$10,000.00	EMMANUEL FABELLA \$10,000.00	MICHAEL GOODRICH \$15,000.00
CHRISTOPHER COOPER \$60,000.00	DONALD FAIRBAIRN \$60,000.00	JAVON GORDON \$45,000.00
JUAN CORRALES \$20,000.00	SAJID FAIZI \$10,000.00	JASON GRAY \$10,000.00
RICHARD COSTA \$171,000.00	CECIL AND EILEEN FISHER \$10,000.00	NANCY AND BARRY GROOMES \$30,000.00
COSTA & ASSOCIATES \$0.00	DAVID FLAHIVE \$60,000.00	SARITA & YOGENDRA GUPTA \$50,000.00
DIANE AND GREG COSTIGAN \$100,000.00	ANGELA AND TERRY FOLIO \$30,000.00	DAN GUO \$30,000.00
MARY AND MELVIN CRAWFORD \$42,500.00	DARRELL AND CHRISTINE FOREMAN \$15,000.00	YOSWA & ESTHER GWALAMBUSI \$80,000.00
MARY CUNNINGHAM \$30,000.00	DOUGLAS FORMSMA \$19,200.00	RUTH GWALAMUBISI- TURNER \$27,923.16
SHERI DARNELL \$30,000.00	JOHN FOUTZ \$30,000.00	HENRY VON HAGEL \$50,000.00
IRENE DASALLA \$25,000.00	LESLIE FOWLER-COTTON \$30,000.00	KEITH & MAXINE HAGUE \$8,000.00
DBB HOLDINGS, LC \$150,000.00	MATTHEW FRAHM \$20,000.00	TIMOTHY HAIDUCEK \$75,000.00
MACK DEICHMAN \$50,000.00	JAMES AND STEPHANIE FRASER \$20,000.00	W. RICHARD HARGROVE \$21,600.00
HORACE DERRICK \$30,000.00	RALPH FRESSOLA \$50,000.00	THOMAS HARRIS \$30,000.00
RAGHAVAN EACHAMPADI \$30,000.00	ANDREW AND DOLORES GAMBRELL \$80,000.00	FREDERICK HAZLETT \$15,000.00
EDWARD EBANKS \$60,000.00	MARK GARRETT \$30,000.00	CHARLES AND ANN HEJDE \$30,000.00
CLAY EDGE \$10,000.00	DAVID GEE \$120,000.00	

V - 3 of 6

4:16-cr-00283 - USA v. Leaverton (4)

DARYL AND V.M. HENNICK \$100,000.00	MARY JEFFREY \$20,800.00	AMY AND RANDY KNOX \$90,000.00
CHARLES HENRY \$240,000.00	DANNY JONES \$15,000.00	LIBBY AND THOMAS KOENIG \$90,000.00
LUKUS HERTZOG \$10,000.00	KATELLA JONES \$5,000.00	ESA KRUSHOPF \$10,000.00
CHARLES HICKMAN \$90,965.00	MARY JONES \$15,000.00	PURUSOTHTHAMAN KULASEKARAM \$9,000.00
SYLVIA HIGBIE \$126,036.00	MICHAEL JONES \$24,000.00	
JENNIFER AND RICHARD HOFMANN \$20,000.00	LOIS AND NOEL JOPLIN \$30,000.00	JILL KUMBIER \$150,000.00
SHERRY HOFFMAN \$24,000.00	RITA JURKOVSKI \$12,500.00	RODEL LACUESTA \$20,000.00
LARRY HOFFPAUIR \$30,000.00	AIPLAH KABENLA \$10,000.00	DIONISIO LAROCO \$30,000.00
JONATHAN HOLLINGSHEAD \$30,000.00	BARBARA KADLEC \$10,000.00	ROBERT LARSON \$12,000.00
RONALD AND ALICIA HOLLINGSHEAD \$30,000.00	PRATEEK KARKAL \$921.00	DORIS LAUTERBACH \$30,000.00
DAVELYN HOOD \$120,000.00	VINCENT KELLEY \$60,000.00	STEVEN LAWTON \$60,000.00
TERRY HORNER \$220,000.00	CHRISTOPHER KELSEY \$30,000.00	THIEN LE \$30,000.00
KENNETH AND RACHEL HUBER \$20,000.00	TIMOTHY KELSEY \$60,000.00	GINA AND SCOTT LEATH \$20,275.00
KENNETH AND JANET HUNSTAD \$120,000.00	ASIF KHALIQ \$30,000.00	JAMES LEGG \$15,000.00
JAMES AND SANDRA ISAACS \$10,000.00	ANDY HAU & LILLY KIM- NGOC \$7,500.00	DANIEL LEONARD \$60,000.00
ANTWANE JACKSON \$7,500.00	ANDREW KIN \$15,000.00	BRIAN LEPPERT \$5,000.00
ATTN: JEFF GORNALL STATE AIR CONDITIONING \$110,000.00	TAH'LEEK KITURE \$20,000.00	JOSEPH LEVANTO \$20,000.00
	ARMIN AND JANICE KLATT \$50,000.00	MARK LIVINGSTON \$10,000.00
	MARTHA KNEPP \$50,000.00	JERRY LONG \$9,000.00

V - 4 of 6

4:16-cr-00283 - USA v. Leaverton (4)

DAVID LOVETT \$60,000.00	KEITH MILLER \$50,000.00	DUANE PETERSON \$15,000.00
DO LUONG \$30,000.00	ROBERT MILLER \$25,000.00	DANIEL PIEC \$12,000.00
GEORGE AND RAISA LUZGIN \$50,000.00	ROGER MILLER \$20,000.00	JEANINE PIERRE \$20,000.00
NOKUKHANYA LWANA \$20,000.00	PEDRO MOROCHO \$20,000.00	SUSAN PODRAZA \$30,000.00
MARY MAALOUF \$60,000.00	FRED MORRO \$110,000.00	ASHER PORAT-SOLDIN \$10,000.00
JAQUEZ MACK \$15,000.00	BAYLEN MORSE \$40,000.00	JERRY POSPISIL \$248,000.00
KATHARYN & TAJ MADIWALE \$12,000.00	LUCILLE AND ROBERT MUMM \$30,000.00	WILLIAM POWELL \$165,000.00
JIM MAMOT \$60,000.00	DAVID MURDOCK \$122,347.45	PIERRE PROUTY \$20,000.00
LORI MARQUARDT \$30,000.00	ALICIA NEIFERT \$25,000.00	SURENDER PUNIA \$30,000.00
JESSIE MARTINEZ \$45,000.00	RICHARD NELSON \$15,000.00	JOEL PUTT \$30,000.00
ALEX MARTUSHER \$70,000.00	HOA NGUYEN \$120,000.00	ANTHONY QUATELA \$30,000.00
JIMMY MATTISON \$20,000.00	MICHAEL NICHOLS \$60,000.00	JIMING QIU \$120,000.00
PAMELA MAZZA \$50,000.00	PATRICK O'BERRY \$50,000.00	GLEN RAINEY \$90,000.00
GEORGE AND JILL MCCAIN \$15,000.00	DANIEL AND JUDITH OELKERS \$115,000.00	JANET AND RICK RAMSEY \$60,000.00
JERRY MCCALLISTER \$20,000.00	EUGENE OTCHERE \$7,500.00	SHYAM RAI \$20,000.00
EDWARD MCCLENDON \$240,000.00	ALFRED PARIS \$10,000.00	JAMES RAPA \$145,000.00
JAMES MCCOY \$344,500.00	CHARLES PECK \$150,000.00	GINGER REINHARDT \$19,800.00
MICHEAL MCINERNEY \$15,000.00	REGAN PEREIRA \$11,824.31	MARIE AND PHILIP REISTER \$6,000.00
STEWART MCKELVEY \$11,135.62		ASHUTOSH AND RENU RAZDAN \$150,000.00

V - 5 of 6

4:16-cr-00283 - USA v. Leaverton (4)

LARRY REISIG \$89,114.16	ELLA AND SEYMOUR SHAPIRO \$45,000.00	ANNETTE AND ARLAN SWARTWOOD \$90,000.00
MARK RINGOLD \$15,000.00	BARBARA SHANNON \$30,000.00	DENISE TALBOTT \$60,000.00
BENJAMIN ROBINSON \$20,000.00	HENRY SHEPHERD \$15,000.00	CONNIE AND DAVID TEATOR \$250,000.00
GARY AND MARY ROSHOLT \$60,000.00	NARRION SHIPMAN \$15,000.00	GROSVENOR THOMAS \$5,000.00
RONALD RILEY \$38,119.96	RANJIT SINGH \$20,000.00	DAVID AND JESSICA TORRES \$30,000.00
SELDEN ROBB \$30,000.00	SJ & T FUNDING LLC \$60,000.00	LEVI TORRES \$30,000.00
ROBERT RUDD \$80,000.00	MORGAN SMITH \$130,000.00	MILTON TORRES \$103,680.43
COLE RUSSELL \$60,000.00	TIMOTHY SMITH \$30,000.00	LANCHI TRUONG \$20,000.00
STEVE & ROBIN RUSSELL \$22,500.00	WILLIAM AND ELIZABETH SMITH \$90,000.00	MAITRAYEE VADALZ \$30,000.00
CYNTHIA SAMUEL \$60,000.00	ROBERT SPENCER \$24,000.00	ALLEN VANOS \$20,000.00
JOHN SANFORD \$10,000.00	MARK SPINA \$20,000.00	ALBERTO VELASQUEZ-NINO \$20,000.00
TOM SANTANASTOSIO \$18,000.00	ELECIA AND RONALD STACEY \$12,000.00	THOMAS VINTI \$50,000.00
CARLA AND JOSEPH SCHEER \$60,000.00	THOMAS AND VIRGINIA STANLEY \$5,000.00	KEVIN AND MARCH VOLKOV \$20,000.00
DON AND NANCY SCHEURER \$10,000.00	BARRY AND LINDA STEEG \$120,000.00	J. REX VORHEES \$94,865.00
MICHAEL SCHEXENIDER \$15,000.00	ALDENE STEELE \$30,000.00	RICHARD WALKER \$30,000.00
SHAELE AND BRAD SCHMIDT \$20,000.00	LARRY AND RUBY STOKER \$480,000.00	WILL WEBER \$30,000.00
WILLIAM SCHROTZ \$5,000.00	SYLVIA SUAREZ \$30,000.00	WILLIAM WELCH \$10,000.00
CAROL SELLER \$10,000.00	MARK SUMMERS \$10,000.00	WILLIAMS BARKSDALE TRUST \$60,000.00

4:16-cr-00283 - USA v. Leaverton (4)

GARRET WIERSMA
\$30,000.00

BETSY WILLIAMS
\$60,000.00

DAVID WING
\$10,000.00

MARK WITHER
\$15,000.00

FREDRIC WOLK
\$10,000.00

TAIGON AND JODI
WORTHEN
\$50,000.00

CARLOS AND ANA YOUNG
\$70,000.00

DEXTER YOUNG
\$90,000.00

LIANGMIN ZHANG
\$20,000.00

PATRICK ZITTING
\$30,000.00

Total Restitution:
\$13,547,407.09